IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

WRIT PETITION NO.2455 OF 2005

Radhey Shyam Bhaggal Sharma ..Petitioner.
Vs.
Jawaharlal Nehru Education Trust & Ors. ..Respondents.
...
Ms. Betty D'Souza i/b M/s. M.P. Vashi & Associates for the Petitioner.
Mr. M.J. Jamdar for Respondent Nos.1 and 2.
...

CORAM: DR. D.Y. CHANDRACHUD, J.

1st August, 2006.

P.C. :

The Presiding Officer of the Mumbai University and College Tribunal, before whom an appeal was filed by the Petitioner against the order dispensing with his services, has held that in the present case there was no formal written order of appointment in respect of the services of the Petitioner. The Maharashtra Non-Agricultural Universities and affiliated Colleges Standard Code (Terms and Conditions of Service of non-teaching employees) Rules, 1984 prescribe conditions of eligibility for appointment to non-ministerial posts by selection. Rule 4 prescribes the procedure for appointment and requires the

issuance of an advertisement in atleast two newspapers. In the present case, no selection procedure was followed. In fact, the case of the management was that the Petitioner was an employee of a security agency which was engaged by the management and since there was a dispute between the Petitioner and the security agency a daily wage appointment was given to the Petitioner which was discontinued. Since the appointment of the Petitioner was not on a regular or permanent basis, the order of the University Tribunal cannot be faulted. No case for interference is made out. The Petition is dismissed.